

# **N.J.A.C. 6A:2, COMMISSIONER**

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## **CHAPTER 2. COMMISSIONER**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **6A:2-1.1 Title and aim**

- (a) By statute, the Commissioner of Education is the chief executive and administrative officer of the Department of Education, is the official agent of the State Board of Education for all purposes and is the budget request and approval officer of the Department of Education. The Commissioner is Secretary of the State Board of Education and Chairperson of the State Board of Examiners.
- (b) The Commissioner is appointed by the Governor, with the advice and consent of the Senate, and serves at the pleasure of the Governor during the Governor's term of office and until his/her successor is appointed.

#### **6A:2-1.2 Powers and duties**

- (a) The powers and duties of the Commissioner are as follows:
  - 1. The Commissioner is empowered to decide legal controversies and disputes arising under school laws or State Board regulations and his/her decisions have the force of law;
  - 2. To apportion State aid to local school districts;
  - 3. To issue teacher certificates;
  - 4. To approve vocational schools;
  - 5. To issue rules and regulations for the classification of students with disabilities;
  - 6. To conduct Statewide tests;

7. To prescribe minimum courses of study for elementary and high schools;
8. To withhold State aid from local school districts which fail to comply with school law or State Board regulations; and
9. To promulgate such other rules and regulations as may be authorized by statute or the State Board.

## **SUBCHAPTER 2. ORGANIZATION OF THE DEPARTMENT**

### **6A:2-2.1 Organizational structure**

The Commissioner of Education shall develop and present to the State Board of Education for its approval an organizational chart which includes all divisions of the Department of Education and all other units for which managerial appointments require State Board approval pursuant to N.J.A.C. 6A:2-2.2. This chart shall be published in the New Jersey Register and incorporated as an Appendix to this subchapter pursuant to N.J.S.A. 52:14B-4(b).

### **6A:2-2.2 Personnel: methods of operations**

- (a) The Commissioner shall appoint, subject to the approval of the State Board, the assistant commissioners of the Department, the chief officers reporting directly to the assistant commissioners, the superintendent of the Katzenbach School for the Deaf, the director of compliance investigation, and the managers of those offices that coordinate board meetings, and hear and determine controversies and disputes.
- (b) The Commissioner shall recommend for appointment by the State Board the State District Superintendent for each State operated school district.

- (c) All other personnel appointments shall be made by the Commissioner subject to the notification procedure in (d) below.
- (d) The Commissioner shall regularly report to the State Board as to all appointments and removals including resignations, transfers, and vacancies. The Commissioner shall also report to the State Board as to any acting appointments that he or she has made for the positions specified in (a) above. In the event an acting appointment to one of the positions specified in (a) above continues for more than 60 days, the Commissioner shall report to the State Board on the progress toward filling that position on a permanent basis.
- (e) In cases where the Commissioner's personnel actions affect the organizational chart or the fulfillment of regulatory requirements, the Commissioner shall advise the State Board of such implications and of actions required for resolution.

#### **6A:2-2.3 Basic composition of the Department**

- (a) The Department of Education consists of a State Board of Education, the Commissioner of Education and such divisions, offices, bureaus, branches, committees, other organizational units and officers and employees as allowed by law and as necessary to carry out the Department's statutory mandates.
- (b) The basic organizational design of the Department is indicated in the Organizational Chart (see Appendix to this subchapter) with the executive functions as follows:
  - 1. Pursuant to N.J.S.A. 18A:4-9 and 18A:4-22, the Commissioner of Education is:
    - i. Secretary of the State Board of Education;
    - ii. The chief executive and administrative officer of the Department of Education, having general charge and supervision of the work of the Department;
    - iii. The official agent of the State Board for all purposes; and

- iv. The budget request officer and approval officer of the Department.
- 2. Pursuant to N.J.S.A. 18A:4-33, the Commissioner shall designate an assistant commissioner as deputy commissioner with full power to act in his or her place and stead during any absence or inability of the Commissioner and at such other times as the Commissioner may designate.

#### **6A:2-2.4 Reporting responsibilities**

- (a) The following senior managers report directly to the Commissioner:
  - 1. The Chief of Staff/Assistant Commissioner for the Division of Executive Services. The following organizational units and/or their chief officers report directly to the Chief of Staff/Assistant Commissioner for the Division of Executive Services:
    - i. **The Director of the Office of Legal Affairs. The following organizational units and their chief officers report directly to the Director of the Office of Legal Affairs:**
      - (1) **The Director of the Office of Controversies and Disputes; and**
      - (2) **The Director of the Office of School Ethics and Compliance;**
    - [i.] ii. The Deputy Chief of Staff – **Administrative Services**. The following organizational units and [its] **their** chief officers report[s] directly to the Deputy Chief of Staff – **Administrative Services**:
      - [(1) The Chief Administrative Officer. The following organizational units and their chief officers report directly to the Chief Administrative Officer:]
      - [(A)] (1) The Director of the Office of Administration; [and]
      - [(B)] (2) The Director of the Office of Human Resources; **and**

**(3) The Chief of the Office of Information Technology;**

[ii. The Chief Public Affairs Officer. The following organizational unit and its chief officer reports directly to the Chief Public Affairs Officer:

(1) The Director of the Office of Media Relations and Strategic Outreach;]

**iii. The Deputy Chief of Staff — Legislative Affairs. The following organizational units and their chief officers report directly to the Deputy Chief of Staff — Legislative Affairs:**

**(1) The Director of the Office of Constituent Relations;**

**(2) The Director of the Office of Legislative Affairs/Policy Development;**

**(3) The Director of the Office of Charter and Renaissance Schools;**

**(4) The Director of the Office of Public Affairs; and**

**(5) The Director of the Office of Media Relations and Strategic Outreach;**

[2. The Deputy Commissioner for the Division of Talent and Performance. The following organizational units and/or their chief officers report directly to the Deputy Commissioner for the Division of Talent and Performance:

i. The Chief Talent Officer. The following organizational units and their chief officers report directly to the Chief Talent Officer:

(1) The Director of the Office of Recruitment and Preparation;

(2) The Director of the Office of Certification/Induction;

(3) The Director of the Office of Evaluation; and

(4) The Director of the Office of Professional Development;

ii. The Chief Performance Officer. The following organizational units and their chief officers report directly to the Chief Performance Officer:

- (1) The Director of the Office of Assessments; and
- (2) The Director of the Office of Performance Management;
- iii. The Chief Information Technology Officer; and
- iv. The Chief Strategic Alignment Officer of the Office of Strategic Alignment;

3.] **2.** The Chief Financial Officer/Assistant Commissioner for the Division of Finance.

The following organizational units and/or their chief officers report directly to the Chief Financial Officer/Assistant Commissioner for the Division of Finance:

**i. The Deputy Assistant Commissioner — Finance. The following organizational units and their chief officers report directly to the Deputy Assistant Commissioner —Finance:**

**(1) The Director of the Office of State Monitors; and**

**(2) The Director of the Office of School Finance;**

[i.] **ii.** The Director of the Office of Budget;

[ii.] **iii.** The Director of the Office of Accounting;

[iii. The Director of the Office of State Monitors;]

[iv. The Director of the Office of School Facilities and Finance;]

**iv. The Director of the Office of School Facility Planning;**

**v. The Director of the Office of School Facility Projects;**

[v.] **vi.** The Director of the Office of Grants Management; and

[vi.] **vii.** The Director of the Office of Interdistrict Choice and Nonpublic Schools;

[4.] **3.** The [Chief Academic Officer/] Assistant Commissioner for the Division of

[Teaching and Learning] **Academics and Performance.** The following

organizational units and/or their chief officers report directly to the [Chief

Academic Officer/] Assistant Commissioner for the Division of [Teaching and Learning] **Academics and Performance:**

- i. The Deputy [Chief Academic Officer] **Assistant Commissioner — Academics. The following organizational units and their chief officers report directly to the Deputy Assistant Commissioner — Academics:**

- (1) **The Director of the Office of Standards;**
- (2) **The Director of the Office of Career Readiness;**
- (3) **The Director of the Office of Educational Technology;**
- (4) **The Director of the Office of Innovation; and**
- (5) **The Director of the Office of Professional Development;**

- [ii. The Chief Innovation Officer. The following organizational units and their chief officers report directly to the Chief Innovation Officer:

- (1) The Director of the Office of School Innovation;
- (2) The Director of the Office of Educational Technology;]

- ii. **The Deputy Assistant Commissioner — Performance. The following organizational units and their chief officers report directly to the Deputy Assistant Commissioner — Performance:**

- (1) **The Director of the Office of Assessments;**
- (2) **The Director of the Office of Performance Management;**
- (3) **The Director of the Office of Evaluation;**
- (4) **The Director of the Office of Recruitment and Preparation;**
- (5) **The Director of the Office of Certification/Induction; and**
- (6) **The Director of the Office of Strategic Operations;**

- iii. The [Co-Administrators] **Administrator** of the Division of Early Childhood Education [and Family Engagement]. **The following**



**organizational units and their chief officers report directly to the  
Administrator of the Division of Early Childhood Education:**

- (1) The Director of the Office of Infant, Toddler and Preschool Education;**
- (2) The Director of the Office of K3 Education; and**
- (3) The Director of the Office of Interagency Early Childhood Programs;**

[iv. The Director of the Office of Career Readiness;

v. The Director of the Office of Academics;]

[vi.] **iv.** The Director of the Amistad Commission; and

[vii.] **v.** The Italian and Italian American Heritage Commission[.];

[5.] **4.** The [Chief Learning Supports and Specialized Services Officer/] Assistant Commissioner for the Division of [Learning Supports and Specialized] **Student Services**. The following organizational units and/or their chief officers report directly to the [Chief Learning Supports and Specialized Services Officer/] Assistant Commissioner for the Division of [Learning Supports and Specialized] **Student Services**:

- i. The Deputy [Chief Learning Supports and Specialized Services Officer] **Assistant Commissioner — Student Services**. The following organizational unit[s] and [their] **its** chief officer report[s] directly to the Deputy [Chief Learning Supports and Specialized Services Officer] **Assistant Commissioner — Student Services**:

[(1) The Director of the Office of Comprehensive Support; and

(2)] **(1)** The Director of the Office of Special Education Professional Development;

- ii. **The Superintendent of the Marie H. Katzenbach School for the Deaf;**

- [ii.] **iii.** The Director of the Office of Student Support Services;
  - [iii.] **iv.** The Director of the Office of Special Education Policies and Procedures;
  - [iv.] **v.** The Director of the Office of Supplemental Educational Programs; and
  - [v.] **vi.** The Director of the Holocaust Commission;
- [6] **5.** The Assistant Commissioner for the Division of Field Services. The following organizational units and/or their chief officers report directly to the Assistant Commissioner for the Division of Field Services:
- i. The [County Offices of Education] **Deputy Assistant Commissioner — Field Services;**
  - ii. The Director of the Office of Field Services Coordination;**
  - [ii.] **iii.** The Director of the Office of Fiscal Accountability and Compliance;
  - [iii. The Superintendent of the Marie H. Katzenbach School for the Deaf;]
  - iv. The Director of the Office of Comprehensive Support;**
  - v. The Director of the Office of Professional Network Services; and**
  - [iv.] **vi.** The Director of the Office of District Intervention and Support;
  - [v. The Director of the Office of Project Management; and
  - vi. Regionalization Consolidation and Shared Services; and]
- [7. The Chief Legal and External Affairs Officer/Assistant Commissioner for the Division of Legal and External Affairs. The following organizational units and/or their chief officers report directly to the Chief Legal and External Affairs Officer/Assistant Commissioner for the Division of Legal and External Affairs:
- i. The Deputy Chief Legal Officer. The following organizational units and their chief officers report directly to the Deputy Chief Legal Officer:
    - (1) The Director of the Office of Controversies and Disputes;
    - (2) The Director of the Office of TEACHNJ Arbitration; and
    - (3) The Director of the Offices of School Ethics and Compliance;

ii. The Director of Government Affairs. The following organizational units and their chief officers report directly to the Director of Government Affairs:

- (1) The Director of the Office of Legislative and External Affairs; and
  - (2) The Director of the Office of Charter and Renaissance Schools;
- and

iii. Policy Development; and]

[8.] **6.** The Director of the Office of the State Board of Education[.]; **and**

**7. The Special Assistant to the Commissioner.**

#### **6A:2-2.5 Public information requests**

Members of the public may obtain general information from the Department of Education by writing to or telephoning the Department of Education, PO Box 500, Trenton, NJ 08625-0500, [(609) 292-1126] **(609) 376-9072.**